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Of Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PENDLETON DIVISION

**WESTERN WATERSHEDS PROJECT,
CENTER FOR BIOLOGICAL DIVERSITY,
and WILDEARTH GUARDIANS,**

Plaintiffs,

v.

DAVID BERNHARDT, Secretary of the Interior,
JEFFREY A. ROSE, District Manager,
Burns District Bureau of Land Management, and
BUREAU OF LAND MANAGEMENT,

Case No. 2:19-cv-750-SI

**PARTIES' JOINT MOTION
TO SET BRIEFING
SCHEDULE**

Defendants.

The parties in the above-captioned action hereby jointly submit the following proposed schedule for further proceedings related to resolution of Plaintiffs' claims on the merits. In light of the time Plaintiffs anticipate needing to review the administrative record and file their motion for summary judgment and Defendants anticipate needing to prepare their cross-motion, the parties jointly and respectfully request that the Court extend briefly the date by which it tentatively suggested it would like to hold oral argument on the parties' cross-motions for summary judgment, set the oral argument date as early as possible given the Court's calendar for the second week of December 2019, and allow the parties to proceed on the schedule set forth below. In the event the Court wishes to abide by its preference to hold oral argument by the end of November as stated at the hearing on July 2, 2019, the parties will go back to the drawing board and submit an alternative proposed joint schedule that satisfies that criterion.

- The deadline for Defendants to respond to the Complaint is extended to July 31, 2019.
- No later than Thursday, August 15, 2019: Defendants will lodge the Administrative Record(s) including an index indicating which, if any items, within such records are subject to one or more privileges. Counsel would also note in this regard that undersigned counsel for Defendants has agreed to serve an electronic copy of the Administrative Record by overnight delivery to each counsel of record for Plaintiffs.
- By Thursday, September 19, 2019: Plaintiffs will file their Motion for Summary Judgment.
- By Friday, October 18, 2019: Defendants will file their Cross-Motion for Summary Judgment and response to Plaintiffs' Motion for Summary Judgment.
- Any briefs of *amici curiae* are to be filed no later than five (5) business days after the filing of the motion that each *amicus* supports, after notification to counsel for each of the parties.
- By Wednesday, November 6, 2019: Plaintiffs will file their Response and Reply.

- By Monday, November 25, 2019: Defendants will file their Reply.
- Oral Argument to be set for the week of December 9 to 13, 2019.

Respectfully submitted this 18th day of July 2019.

s/ David H. Becker
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Of Attorneys for Plaintiffs

s/ Stephen J. Odell (*with consent*)
Stephen J. Odell
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Of Attorneys for Defendants